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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 NETWORK APPLIANCE INC,

No. C-07-06053 EDL

9 Plaintiff,

10 v.

11 SUN MICROSYSTEMS INC,

12 Defendant.
13 _____/

**ORDER GRANTING PLAINTIFF'S
MOTION FOR ADMINISTRATIVE
RELIEF REQUESTING A PROMPT
CASE MANAGEMENT CONFERENCE
AND SETTING CASE MANAGEMENT
CONFERENCE**

14 On November 30, 2007, this case was transferred to this Court from the Eastern District of
15 Texas, and the initial case management was set automatically for March 11, 2008. On December 4,
16 2007, Plaintiff filed a motion for administrative relief requesting a prompt case management
17 conference for January 8, 2008 or not later than January 23, 2008, the date on which the case
18 management conference would have been held in the Texas court. On December 7, 2007, Defendant
19 filed an opposition to Plaintiff's administrative motion. Also on December 7, 2007, Plaintiff filed a
20 reply. The Court has carefully reviewed each parties' submissions and finds good cause to advance
21 the case management conference to late January, which maintains the pace at which the case was
22 proceeding in the Texas court. However, because the Court is unavailable from January 23, 2008
23 through January 25, 2008, the first date that the Court is available after January 23 is January 28.
24 Accordingly, the initial case management conference is specially scheduled for January 28, 2008 at
25 2:00 p.m. A joint case management conference statement shall be filed no later than January 22,
26 2008.

27 Originally, the parties jointly sought to expedite this case by having an early case
28 management conference, yet Defendant did not raise the issue of whether the presumptive deadlines
under the Patent Local Rules should be triggered by an early date as they normally would, absent

1 modification. Patent L.R. 2-1(a)(1). The Court has not pre-determined this issue. However, in view
2 of the parties' expressed desire for an early case management conference and the parties' stipulation
3 to transfer this case based in part on the ability to proceed expeditiously in this Court, the Court is
4 reluctant to grant a lengthy extension of deadlines. The parties shall meet and confer forthwith and
5 attempt to reach a resolution about the Patent Local Rules deadlines during their Federal Rule of
6 Civil Procedure 26(f) meeting. The parties should be prepared to discuss this issue at the case
7 management conference. The parties should also be prepared to discuss how the other case
8 involving these parties, Sun Microsystems v. Network Appliance, C-07-5488 EDL, should be
9 coordinated with this case to the extent that they may overlap.

10 **IT IS SO ORDERED.**

11 Dated: December 11, 2007

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge